

2005 WISCONSIN ACT 346

AN ACT to amend 118.13 (1), 118.40 (4) (b) 2., 119.04 (1) and 119.22; and to create 118.40 (4) (c) and 120.13 (38) of the statutes; relating to: allowing school boards and charter schools to establish single-sex schools and courses.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 118.13 (1) of the statutes is amended to read:

118.13 (1) ~~No~~ Except as provided in s. 120.13 (38), ~~no~~ person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, pupil services, recreational or other program or activity because of the person's sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

SECTION 2. 118.40 (4) (b) 2. of the statutes is amended to read:

118.40 (4) (b) 2. ~~Discriminate~~ Except as provided in par. (c), discriminate in admission or deny participation in any program or activity on the basis of a person's sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

SECTION 3. 118.40 (4) (c) of the statutes is created to read:

118.40 (4) (c) *Single-sex schools and courses.* A school board may enter into a contract for, and an entity under sub. (2r) may establish or enter into a contract for, the establishment of a charter school that enrolls only one sex or that provides one or more courses that enroll only

one sex if the school board or entity under sub. (2r) makes available to the opposite sex, under the same policies and criteria of admission, schools or courses that are comparable to each such school or course.

SECTION 4. 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) and (37), and (38), 120.14, and 120.25 are applicable to a 1st class city school district and board.

SECTION 5. 119.22 of the statutes is amended to read:

119.22 **Sex discrimination in physical education or physical training prohibited.** ~~Courses Except as provided in s. 120.13 (38), courses~~ in physical education or physical training may not discriminate on the basis of sex in the provision of necessary facilities, equipment, instruction or financial support, or the opportunity to participate in any physical education or training activity as provided in 20 USC 1681 et seq.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 6. 120.13 ^{37m}(38) of the statutes is created to read:

120.13 ^{37m}(38) SINGLE-SEX SCHOOLS AND COURSES.
Operate one or more schools that enroll only one sex or
provide one or more courses that enroll only one sex if the

school board makes available to the opposite sex, under
the same policies and criteria of admission, schools or
courses that are comparable to each such school or
course.

History of Assembly Bill 114

ASSEMBLY BILL 114

LC Act Memo

An Act to amend 118.13 (1), 118.40 (4) (b) 2., 119.04 (1) and 119.22; and to create 118.40 (4) (c) and 120.13 (38) of the statutes; relating to: allowing school boards and charter schools to establish single-sex schools and courses.

2005

02-22.	A. Introduced by Representatives Jensen, Vukmir, Vos, Lothian, Bies, Owens, Pridemore, Hines, Towns, Vrakas, Albers, Colon, Ballweg and Nass; cosponsored by Senators Darling, Reynolds and Grothman.	
02-22.	A. Read first time and referred to committee on Education Reform	85
08-17.	A. Public hearing held.	
08-17.	A. Executive action taken.	
08-19.	A. Report passage recommended by committee on Education Reform, Ayes 7, Noes 2	439
08-19.	A. Referred to committee on Rules	439
10-27.	A. Placed on calendar 11-1-2005 by committee on Rules.	
11-01.	A. Withdrawn from calendar and taken up	566
11-01.	A. Read a second time	566
11-01.	A. Ordered to a third reading	566
11-01.	A. Rules suspended	566
11-01.	A. Read a third time and passed, <u>Ayes 73, Noes 21</u>	566
11-01.	A. Ordered immediately messaged	567
11-02.	S. Received from Assembly	428
11-02.	S. Read first time and referred to committee on Education	428

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02-07.	S. Public hearing held.	
02-10.	S. Executive action taken.	
02-14.	S. Report concurrence recommended by committee on Education, Ayes 4, Noes 3	594
02-14.	S. Available for scheduling.	
03-06.	S. Placed on calendar 3-7-2006 by committee on Senate Organization.	
03-07.	S. Read a second time	704
03-07.	S. Ordered to a third reading	704
03-07.	S. Rules suspended	704
03-07.	S. Read a third time and concurred in, <u>Ayes 20, Noes 13</u>	704
03-07.	S. Ordered immediately messaged	707
03-07.	A. Received from Senate concurred in	910
03-14.	A. Report correctly enrolled	973
04-13.	A. Presented to the Governor on 4-13-2006	1013
04-18.	A. Report approved by the Governor on 4-14-2006. 2005 Wisconsin Act 346	1016
04-18.	A. Published 4-28-2006	1017

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